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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LAURA KONDRICK,
Plaintiff,

vs.

KAISER PERMANENTE FLEXIBLE
BENEFITS PLAN and METROPOLITAN
LIFE INSURANCE COMPANY,
Defendants.

Case No.: C 06-2781 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER AMENDING CASE SCHEDULE**

ALL PARTIES AND THEIR COUNSEL OF RECORD HEREBY STIPULATE AND
APPLY TO THE COURT FOR AN ORDER AS FOLLOWS:

The parties have been engaged in negotiations related to the complex discovery issues presented by this ERISA (29 U.S.C. § 1001, et. seq.) matter. Pursuant to those negotiations, the parties have reached agreement on certain discovery issues. However, defendants have yet to produce certain documents that the parties have agreed to keep confidential. The parties stipulated to and are seeking a protective order from the Court for those documents. Defendants are awaiting that order before producing the documents. The Court previously ordered the parties to complete mediation by December 8, 2006 and a hearing date is set on the issue of the standard of review for February 9, 2007. A status conference is set for March 2, 2007. Given

STIPULATION AND PROPOSED ORDER RE CASE SCHEDULE (C 06-2781 MMC)

1 that the parties have not yet resolved the discovery issues but should have them resolved soon
2 and that completing discovery will increase the possibility of an effective mediation, the parties
3 propose the following revised case management schedule:

4 **February 9, 2007:** The parties shall complete mediation by this date.

5 **March 3, 2007:** Plaintiff's opening brief on the standard of review is due.

6 **April 13, 2007 at 9:00:** The Court will hear plaintiff's motion on the standard of review.

7 **May 4, 2007 at 10:30:** The Court will hold a status conference.

8 As the foregoing schedule will give the parties the opportunity to complete discovery
9 before mediation and to complete mediation before briefing on the standard of review, good
10 cause exists.

11 Dated: November 30, 2006

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14
15 By: /s/ Michael N. Westheimer

16 Michael N. Westheimer
17 Attorneys for Defendant
18 METROPOLITAN LIFE INSURANCE
19 COMPANY and KAISER
20 PERMANENTE FLEXIBLE BENEFITS
21 PLAN

22 Dated: November 30, 2006

23
24
25 By: /s/ Steven M. Chabre

26 STEVEN M. CHABRE
27 Attorneys for Plaintiff
28 LAURA KONDRICK

PROPOSED ORDER

PURSUANT TO STIPULATION and good cause appearing therefor, IT IS HEREBY ORDERED THAT:

February 9, 2007: The parties shall complete mediation by this date.

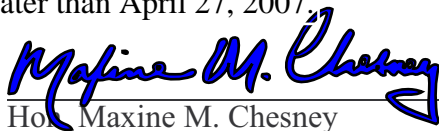
March 3, 2007: Plaintiff's opening brief on the standard of review is due.

April 13, 2007 at 9:00: The Court will hear plaintiff's motion on the standard of review.

May 4, 2007 at 10:30: The Court will hold a status conference. The parties shall file a joint status conference statement no later than April 27, 2007.

Dated: December 1, 2006

By:


Hon. Maxine M. Chesney
U.S. DISTRICT COURT JUDGE